

To Appropriate the Public Waters of the State of Oregon

I, Thomas Herd, Jr. (Name of applicant)
 of Newberg (Postoffice), County of Yamhill,
 State of Oregon, do hereby make application for a permit to appropriate the
 following described public waters of the State of Oregon, subject to existing rights:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Has no name (Name of stream)
 tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is
three cubic feet per ^{hour}~~second~~

3. The use to which the water is to be applied is Domestic purpose only
 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of division is located 26.06 ch. North and thence North 69° 45' West 9.79
 (Give distance and bearing to section corner)
ch. from the S.E. Corner of the SW $\frac{1}{4}$ of Section 5

being within the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 5, Tp. 3 S.
 (Give smallest legal subdivision) (No. N. or S.)
R. 2 W., W. M., in the county of Yamhill, Oregon
 (No. E. or W.)

5. The pipe one-half inch in diameter to be 300 feet long
 (Main ditch, canal or pipe line)
miles in length, terminating in the NorthEast S. West $\frac{1}{4}$ of Sec. 5, Tp. 3 S.
 (Smallest legal subdivision) (No. N. or S.)
R. 2 West, W. M., the proposed location being shown throughout on the accompanying map.
 (No. E. or W.)

6. The name of the ditch, canal or other works is

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam _____ feet, length on top _____ feet, length at bottom
 _____ feet; material to be used and character of construction _____
 (Loose rock, concrete, masonry,
 rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate _____
 (Timber, concrete, etc., number and size of openings)

* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

MUNICIPAL SUPPLY—

11. To supply the city of _____
_____ County, having a present population of _____,
(Name of)
and an estimated population of _____ in 192_____

(Answer questions 12, 13, 14, and 15 in all cases)

- 12. Estimated cost of proposed works, \$50,000.....
- 13. Construction work will begin on or before as soon as permit is granted.....
- 14. Construction work will be completed on or before April 15th, 1928.....
- 15. The water will be completely applied to the proposed use on or before April 15th, 1928.....

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Engineer, accompany this application.

Thomas Herd, Jr.
(Name of applicant)

Signed in the presence of us as witnesses:

- (1) Frank Swart, 400 No. Ednds Newberg, Oregon
(Name) (Address of witness)
- (2) Fred G. Hutchens, 507 S. Meridian St., Newberg, Oreg.
(Name) (Address of witness)

Remarks: _____

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows: _____

Corrections, fees and map _____

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before May 3rd, 1928...

WITNESS my hand this 2nd day of April, 1928...

Rhea Luper
HB STATE ENGINEER.

2 p. 45 0

Application No. 1 2 0 0 5

Permit No. 8 4 6 3

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon,

on the 31st day of Mar.

1928, at 8:00 o'clock A.M.

Returned to applicant for correction:

April 2, 1928.

Corrected application received:

May 2, 1928.

Approved:

May 28, 1928.

Recorded in Book No. 28 of Permits, on page 8 4 6 3.

R H E A L U P E R

STATE ENGINEER.

1 map ACFP

\$10.00

STATE OF OREGON, } ss. County of Marion, }

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The right herein granted is limited to the appropriation of water from An Unnamed Tributary of the Willamette River for domestic purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.05 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is March 31, 1928.

Actual construction work shall begin on or before May 28, 1929, and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1930.

Complete application of the water to the proposed use shall be made on or before October 1, 1931.

WITNESS my hand this 28th day of May, 1928.

RHEA LUPER

STATE ENGINEER.

Permits for power development are subject to the limitation of franchise as provided in Section 5728, Oregon Laws, and the payment of annual fees as provided in Section 5803, Oregon Laws.

This form approved by the State Water Board, March 11, 1909.